

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/854,935
Attorney Docket No.: Q64476

REMARKS

Claims 1-21 and 55-60 are all the claims pending in the application. By this Amendment, Applicant cancels claims 22-54 and 61-66. Claim 55 is withdrawn from consideration as being drawn to a non-elected invention. By this Amendment, Applicant amends claims 1 and 56 to further clarify the invention.

Preliminary Matters

As preliminary matters, Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and for indicating receipt of the certified copies of the Priority Documents. Also, Applicant thanks the Examiner for indicating approval of the drawings filed on May 15, 2001. Finally, Applicant thanks the Examiner for initialing the references listed on Form PTO-1449 submitted with the Information Disclosure Statement filed on September 12, 2001.

Summary of the Office Action

Claims 1-4, 6, 13-17, 20, 21, and 56-58 are rejected under 35 U.S.C. § 102 and claim 5 is rejected under 35 U.S.C. § 103. Claims 7-12, 18, 19, 59, and 60 contain allowable subject matter.

Claim Rejections under § 102

Claims 1-4, 6, 13-17, 20, 21, and 56-58 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent No. 6,722,473 to Ramachandran et al. (hereinafter "Ramachandran"). Applicant respectfully traverses this rejection in view of the following comments.

Of these rejected claims, only claims 1 and 56 are independent. Independent claims 1 and 56, among a number of unique features, include some variation of having “the intermediary apparatus communicates through the communication network with the information management apparatus which communicates with another information intermediary apparatus through the communication network, said another information intermediary apparatus stores the user information.”

For example, in the illustrative embodiment of the present invention, information that matches users’ needs and meets users’ requirements is provided. Since the information intermediary apparatus can get some other person’s information that is input into another information intermediary apparatus from the information management apparatus via a communication network, this information that matches users’ needs and meets users’ requirements can be provided. It will be appreciated that the foregoing remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claims recited above.

The Examiner alleges that claims 1 and 56 are directed to an information intermediary apparatus and a method for intermediating information, respectively. The Examiner alleges that these claims 1 and 56 are anticipated by Ramachandran. Applicant has carefully studied Ramachandran’s disclosure of a cash dispensing machine, which is not similar to the information intermediary apparatus that can provide information entered at another intermediary apparatus.

Ramachandran discloses a system for providing cash to users in a merchandise delivery environment such as a fast food drive-through environment. The system includes a customer request station (212, 262, 288, 300, 322, 378) at which the customer is enabled to input a request for merchandise as well as an input corresponding to a request to receive cash. The customer is further enabled to input to the customer request station information corresponding to a source of monetary value which the customer may charge against for ordered merchandise or for the amount of cash requested. The customer may then move to a cash delivery station (216, 338) to receive a portion or all of the requested cash. The customer is enabled to receive the ordered merchandise at a merchandise delivery station (222, 292, 304, 316, 324, 342) (*see* Abstract and col. 3, line 51 to col. 4, line 33).

Ramachandran, however, merely discloses a cash dispensing system for merchandise delivery facility. For example, in Ramachandran, the self-service dispensing machine 116 dispenses money based on user input (Fig. 25, col. 16, lines 10 to 41). The machine 116 is not connected to another machine obtaining another person's information input into that other machine. That is, Ramachandran does not teach or suggest obtaining from the cash dispensing machine information input into another dispensing machine via another apparatus such as information management apparatus.

Therefore, "the intermediary apparatus communicates through the communication network with the information management apparatus which communicates with another information intermediary apparatus through the communication network, said another information intermediary apparatus stores the user information," as set forth in claims 1 and 56 is

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/854,935
Attorney Docket No.: Q64476

not taught or suggest by Ramachandran, which lacks having the cash dispensing machine obtain another person's information that is input into another cash machine via the communication network and a management device. For at least this exemplary reason, Applicant respectfully submits that claims 1 and 56 are patentable over Ramachandran. Claims 2-4, 6, 13-17, 20, 21, 57, and 58 are patentable at least by virtue of their dependency on claim 1 or 56. Therefore, Applicant respectfully requests the Examiner to withdraw this rejection of claims 1-4, 6, 13-17, 20, 21, and 56-58.

Claim Rejection under § 103(a)

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ramachandran in view of U.S. Patent No. 6,804,718 to Pang et al. (hereinafter "Pang"). Applicant respectfully traverses this rejection with respect to the dependent upon claim 1, claim 5. Applicant has already demonstrated that Ramachandran does not meet all the requirements of independent claim 1. Pang is relied upon only for its teaching of personalizing mobile computer by providing new wallpaper and so on (*see* page 8 of the Office Action). Clearly, Pang does not compensate for the above-identified deficiencies of Ramachandran. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 1. Since claim 5 is dependent upon claim 1, it is patentable at least by virtue of its dependency.

Allowable Subject Matter

The Examiner indicated that claims 7-12, 18, 19, 59, and 60 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/854,935
Attorney Docket No.: Q64476

claims. Applicant respectfully holds the rewriting of 7-12, 18, 19, 59, and 60 in abeyance until arguments presented with respect to independent claims 1 and 56 have been reconsidered.


Applicant does not acquiesce with the Examiner's stated reasons for allowance.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Nataliya Dvorson
Registration No. 56,616

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 29, 2005

Attorney Docket No.: Q64476